

6.00
1.00
7.00

AMENDMENT OF PROTECTIVE COVENANTS BRIGADOON WEST PHASE I & BRIGADOON HIGHLANDS PHASE I

Whereas, Brigadoon Land Development, Inc., by and through Danny Putman, its president did on the 22nd day of December, 1997, execute protective covenants filed for record in the office of the Judge of Probate of Limestone County, Alabama, on December 23, 1997, in Fiche 97517 at page 083 and said amendment was filed on December 31, 1997, in Fiche 97525 at page 050.

Now therefore the undersigned Brigadoon Land Development, Inc., Danny Putman, president, with regard to the property embraced in the subdivision shown on the map or plat prepared by Duvivant Engineering, Inc., known and designated as Brigadoon West, Phase I and Brigadoon Highlands, Phase I, located in Limestone County, Alabama, and recorded in the office of the Judge of Probate of said county hereby amend said protective covenants in order to impose on all of the lots in said plat the following additional covenants and restrictions.

Article III subsection (a) shall be amended as follows: All single family dwellings must contain a furnished living area, exclusive of basement, accessory building, garages, terraces, porches and the like, of at least 2,500 square feet with at least 2000 square feet on the main floor which must be above ground. No dwelling, garage or accessory building may exceed three stories in height, excluding basement.

Article III subsection (c) shall be amended as follows: The exterior siding of all dwellings, detached garages and accessory structures must be of clay based brick, natural cut stone or said siding as approved by the Architectural Control Committee. The use of asbestos or aluminum exterior siding is expressly prohibited with the exception of vinyl exterior siding being used for cornice trim only. Foundations are not included within the definition of "exterior siding." Concrete blocks may be used for foundations provided that they are covered with brick or stone veneer, concrete or plaster. Boat shelters must be open and are forbidden to have any siding whatsoever on exterior walls. Plans for such open boat shelters must meet with the approval of the ACC, as well as appropriate permits from TVA and the U.S. Army Corps of Engineers and any other appropriate regulatory authorities.

Article III subsection (e) shall be amended as follows: All driveways shall be of hard surfaces such as concrete or brick, or such other surfaces as may be expressly authorized in writing by the ACC or its designated representative and shall be of a minimum width of 10 feet hard surface. All property owners shall be required to pour concrete sidewalks the width of their property and said sidewalk shall measure 3 feet in width. Sidewalks will be laid out by the ACC and constructed after dwelling has been built.

Article IV shall be amended as follows: No dwelling or accessory structure or detached garage shall be located nearer than fifty feet to any front (roadside) lot line (or nearer to said roadside lot line than may be allowed by the county of Limestone by its standard set backline, (whichever is greater), or nearer than fifty feet to the 560' contour line of Lake Wheeler's primary shoreline, or rear of lot as the case may be, or nearer than ten feet to any side lot line, or upon any easement shown on individual lot plat. Prior written approval must be obtained from the ACC before any dwelling, detached garage or accessory structure can be erected nearer to the 560' contour line or any other lot line.

Article V shall be amended as follows: House plans must be submitted and approved by ACC within one year of purchase of said lot. Construction must begin within two years of said purchase of lot and completed within one year. All builders must be approved through the ACC before the commencement of construction or site preparation.

Article VII shall be amended as follows: The owner of each tract shall be required to provide only those garbage containers approved by the ACC. During construction on any lot, a portable restroom and a waste dumpster must be furnished by owner until construction is complete.

Article XII shall be amended as follows: No sign of any kind (except as may be required by legal proceedings) shall be displayed to the public view on any lot except two professional signs of not more than four square feet each advertising the sale of said lot or home erected on said lot during the construction and sale period. The subdivision developer may use his discretion in the use of signs within the subdivision. All signs must be approved as to size, color, content and location by the ACC.

Article XIII shall be amended as follows: The use of houseboats, cruisers and other types of water conveyances that are regularly docked at any of the property as a permanent residence is expressly prohibited. Furthermore, no boat docked at any of the property, no matter how temporary the stay there, may use a toilet which evacuates raw, untreated sewage into the water. The toilet for a temporarily docked boat at any of the properties must have, as a minimum standard of sanitation, a toilet that micropulverizes and then effectively chemically treats all sewage before ejection into the water. The shoreline shall in no way be used as a regular docking space for other commercial endeavors. Neither shall it be used as a regular docking space for other than the owner with the exception of temporary docking by friends or relatives whose boats meet the above requirements. It being the purpose and intent of this covenant to prohibit and prevent the systematic dumping of sewage and waste into the waters abutting the property covered by these covenants. Owners of waterfront lots must have a sea wall built within the first year of ownership, whether a boat shelter is to be constructed or not. Boats cannot remain tied to piers except for temporary docking.

Article XX shall be amended as follows: The ACC consists of five members. Until further amendments, this committee shall consist of:

- Danny Putman
- Lisa Putman
- Christopher Putman
- Scott Carrier
- Amy Freiermuth

All other content in Article XX stands as previously recorded.

Recording Fee	7.00
TOTAL	7.00

Additional restrictions and covenants are as follows:

- All mailboxes will be of the same design, which will be selected and approved by the ACC.
- All boat launches leading from dwellings on said property must be approved by the ACC.
- With regard to the selling of any lot or home located on said property: When said property sale is handled through a real estate company, 1% of sale proceeds will be paid to Brigadoon Land Development, Inc. This does not apply if said owner sells property.

IN WITNESS WHEREOF, the undersigned Brigadoon Land Development, Inc., by Danny Putman being the president thereof, has hereunto executed these covenants on this the 26 day of June, 2000.

Brigadoon Land Development, Inc.

By: Danny Putman 6-26-00
President

Amy Freiermuth DATE 6-26-00

NOTARY

MY COMMISSION EXP. 2/10/2003

